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Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, D.C. 20554

In the Matter of:

Amendment of Section 73.202(b),
 Table of Allotments,
 FM Broadcast Stations.
 (Ettrick, Virginia)

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MM Docket No. 94-

RM-

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AUG 8 - 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

TO: The Secretary

PETITION FOR RULEMAKING

On behalf of Hoffman Communications, Inc. ("Petitioner"), licensee of WDYL(FM), Chester, Virginia, we hereby request the amendment of FCC Rule § 73.202(b) to allot Channel 226A to Ettrick, Virginia, as that community's first local broadcast outlet. Petitioner will apply for this channel, if allotted.

Ettrick is a Census Designated Place with a 1990 U.S. Census population of 5,290 persons. As indicated in the attached Technical Exhibit prepared by Jefferson G. Brock of Graham Brock, Inc., Channel 226A can be allotted to Ettrick, Virginia at reference coordinates 37° 17' 53" North Latitude and 77° 32' 53" West Longitude, with a site restriction of 13.7 km northwest of the community. This proposed station would provide 1.0 mV/m service to 447,948 persons. This proposal is possible by virtue of the Commission's Report and Order in MM Docket No. 93-310, allotting Channel 289A to Chester, Virginia in lieu of Channel 226A, and modifying Petitioner's authorization for WDYL-FM to Channel 289A accordingly.¹

¹WDYL is currently operating on Channel 221A, and thus, grant of this proposal need not be made contingent on WDYL's move to Channel 289A. Although WDYL has an outstanding construction permit for Channel 226A (BPH-920814IF), Petitioner intends to

For the foregoing reasons, allotment of Channel 226A to Ettrick, Virginia would serve the public interest, and we hereby request the Commission to amend the Table of Allotments accordingly.

Respectfully submitted,

HOFFMAN COMMUNICATIONS, INC.

By:



David M. Silverman

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Suite 200
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Its Attorneys

August 8, 1994

amend a pending modification application for that permit (BMPH-930625IF) to specify operation on Channel 289A.

GRAHAM BROCK, INC.

BROADCAST TECHNICAL CONSULTANTS

PETITION FOR RULE MAKING
HOFFMAN COMMUNICATIONS, INC.
ALLOT CHANNEL 226A TO
ETTRICK, VIRGINIA
July 1994

TECHNICAL EXHIBIT

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TECHNICAL STATEMENT

1. This technical statement and attached exhibits were prepared on behalf of Hoffman Communications, Inc. ("Hoffman"). Hoffman requests the Commission amend §73.202(b) of its rules by allotting Channel 226A to Ettrick, Virginia, as that village's first local broadcast outlet.¹

2. Ettrick is located in southern Chesterfield County, Virginia, and is listed in the 1990 U.S. Census as a "Census Designated Place" with a population of 5,290 persons. Ettrick contains numerous residential areas and businesses and is the home of Virginia State University. Ettrick has its own post office. Ettrick presently has no locally licensed broadcast outlets.

3. Channel 226A can be allotted to Ettrick, Virginia, at reference coordinates North Latitude 37° 17' 53" and West Longitude 77° 32' 53". This represents a site restriction of 13.7 kilometers northwest of the community. From this location, a 3.16 mV/m contour will be delivered to Ettrick. Exhibit #1

1) In MM Docket #93-310, the Commission substituted Channel 289A for Channel 226A at Chester, Virginia. This substitution is effective August 1, 1994.

shows the usable area for Channel 226A at Ettrick. Exhibit #2 is a Channel 226A spacing study which demonstrates that the channel meets the Commission's minimum distance separation requirements to all licensed, applied for or proposed facilities.²

4. Therefore, Hoffman Communications, Inc., requests the following change to §73.202(b) of the Commission's rules:

Ettrick, Virginia

Present
None

Proposed
226A

PUBLIC INTEREST ASPECTS

5. The allotment of Channel 226A to Ettrick, Virginia, would provide the community with its first local broadcast outlet. From the proposed reference site, a maximum 6.0 kilowatt Class A facility could provide 1.0 mV/m service to 447,948 persons.

6. When the Commission allots Channel 226A to Ettrick, Virginia, Hoffman will file an application requesting authority to construct a new FM station on Channel 226A at Ettrick, Virginia.

2) Both Exhibit #1 and #2 assume WDYL on Channel 289A at Chester, Virginia.

7. The foregoing technical statement and attached exhibits were prepared on behalf of Hoffman Communications, Inc., by Graham Brock, Inc., its Technical Consultant. All of the information contained herein is true and accurate to the best of our belief and knowledge. Should questions arise during consideration of these requests, we welcome the opportunity to discuss the matter at (912) 638-8028. All data relating to FM assignments and allotments was extracted from the NTIA database, updated June 30, 1994. We assume no liability for errors or omissions in that database which may be adverse to the requests contained herein.

ALLOCATION STUDY FOR ETTRICK, VIRGINIA
USING PROPOSED ALLOCATION SITE AS REFERENCE

REFERENCE	CLASS A	DISPLAY DATES
37 17 53 N		DATA 06-30-94
77 32 53 W	Current rules spacings	SEARCH 07-28-94
----- CHANNEL 226 - 93.1 MHz -----		

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
WFOG	225B	Suffolk	VA	114.5	113.01	113.0	0.01
LI CN	36 52 35	76 23 28	50.000 kW	146M	70.2	70.2	
	Sunshine Wireless Company, Inc.				BLH-5624		
WFLSFM	227B	Fredericksburg	VA	4.9	113.03	113.0	0.03
LI CN	38 18 46	77 26 20	50.000 kW	150M	70.3	70.2	
	Free Lance-Star Publishing Co.				BLH-880809LD		
WMXB	279B	Richmond	VA	353.8	23.51	15.0	8.51
LI CY	37 30 31	77 34 37	20.000 kW	256M	14.6	9.3	
	Radio Ventures I, L.P.				BLH-831117BF		
WMQXFM	226C	Winston-Salem	NC	242.0	241.84	226.0	15.84
LI CY	36 16 33	79 56 27	100.000 kW	335M	150.3	140.5	
	Max Radio License Inc.				BLH-880310KA		
WBBCFM	228A	Blackstone	VA	237.2	49.97	31.0	18.97
LI CN	37 03 14	78 01 15	1.800 kW	113M	31.1	19.3	
	Blackstone Communications, Inc.				BLH-6866		
WYFL	223C	Henderson	NC	206.1	132.82	95.0	37.82
LI DEN	36 13 23	78 12 07	100.000 kW	311M	82.6	59.0	
	Bible Broadcasting Network, Inc.				BLH-870918KB		
WDLX	227C	Washington	NC	176.3	214.91	165.0	49.91
LI CN	35 21 55	77 23 38	100.000 kW	543M	133.6	102.6	
	Tar Heel Broadcasting System, Inc.				BLH-791206AF		

ALLOCATION STUDY CHANNEL 226A

NOTE : STUDY ASSUMES WOYL CHESTER,
VIRGINIA ON CHANNEL 289A, PER
MM DOCKET #93-310.

EXHIBIT #2

**PETITION FOR RULE MAKING
HOFFMAN COMM., INC.
ALLOT CHANNEL 226A
ETTRICK, VIRGINIA**

July 1994

GRAHAM BROCK, INC.

BROADCAST TECHNICAL CONSULTANTS

AFFIDAVIT AND QUALIFICATIONS OF CONSULTANT

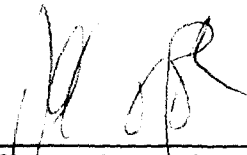
State of Georgia)
St. Simons Island) ss:
County of Glynn)

JEFFERSON G. BROCK, being duly sworn, deposes and says that he is an officer of Graham Brock, Inc. Graham Brock has been engaged by Hoffman Communications, Inc., to prepare the attached Technical Exhibit.

His qualifications are a matter of record before the Federal Communications Commission. He has been active in Broadcast Engineering since 1979.


The attached report was either prepared by him or under his direction and all material and exhibits attached hereto are believed to be true and correct.

This the 28th day of July, 1994.



Jefferson G. Brock
Affiant

Sworn to and subscribed before me
this the 28th day of July, 1994.



Notary Public, State of Georgia
My Commission Expires: September 8, 1995